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## WISCONSIN LEGISLATIVE COUNCIL

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### JOINT LEGISLATIVE COUNCIL MINUTES

Room 411 South, State Capitol  
Madison, Wisconsin

January 16, 2013  
8:30 a.m. – 10:05 a.m.

[The following is a summary of the January 16, 2013 meeting of the Joint Legislative Council. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting and a copy of the registration form listing those who attended. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

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#### Call to Order and Roll Call

Co-Chair Ballweg called the meeting to order. The roll was called. She welcomed Senator Luther Olsen, as the new Co-Chair, as well as the other new Council members. Council members were reminded that bills recommended today will be introduced by the Council to the Legislature. These bills will follow the traditional process in the Legislature. Public hearings will be held on these bills in their assigned standing committees.

Co-Chair Ballweg noted that all Council recommendations require at least 12 votes. The period for voting will not be held open past the scheduled adjournment of today's meeting. Members must be present to vote.

COMMITTEE MEMBERS  
PRESENT:

Rep. Joan Ballweg and Sen. Luther Olsen, Co-Chairs; Reps. Peter Barca, Terese Berceau, Amy Loudenbeck, Cory Mason, John Nygren, Jeff Stone, Scott Suder, and Robin Vos; and Sens. Alberta Darling, Paul Farrow, Scott Fitzgerald, Chris Larson, Joe Leibham, Mark Miller, Jerry Petrowski, Fred Risser, Jennifer Shilling, and Dale Schultz.

COMMITTEE MEMBERS  
EXCUSED:

Reps. Bill Kramer and Sandy Pasch.

COUNCIL STAFF PRESENT: Terry C. Anderson, Director; Laura Rose, Deputy Director; Jessica Karls-Ruplinger and Rachel Letzing, Senior Staff Attorneys; Katie Bender-Olson, Anna Henning, Brian T. Larson, David Moore, Jessica Ozalp, and Mike Queensland, Staff Attorneys; and Julie Learned, Kelly Mautz, and Tracey Young, Senior Administrative Assistants.

APPEARANCES: Sen. Luther Olsen, Chair, Special Committee on Improving Educational Opportunities in High School; Sen. Mary Lazich, Chair, Special Committee on Review of Emergency Detention and Admission of Minors Under Chapter 51; Representative Pat Strachota, Chair, Special Committee on Supervised Release and Discharge of Sexually Violent Persons; and Sen. Alberta Darling, Chair, Special Committee on Reporting of Child Abuse and Child Neglect.

### **Approval of the Minutes of the Committee's January 18, 2012 Meeting**

Noting that a quorum was present, Co-Chair Ballweg asked for a motion to approve the January 18, 2012 minutes of the Joint Legislative Council.

*Sen. Schultz moved, seconded by Sen. Miller, that the minutes of the January 18, 2012 meeting be approved. The motion was adopted by voice vote.*

### **Committee Report No. 2 of the Special Committee on Improving Educational Opportunities in High School**

Senator Luther Olsen, Chair, Special Committee on Improving Educational Opportunities in High School, accompanied by Rachel Letzing and Jessica Karls-Ruplinger, Legislative Council staff, presented the report of the Special Committee. Senator Olsen stated that the committee was charged with developing legislation to create and enhance opportunities for both lower and higher achieving students in high school.

Senator Olsen gave a brief summary of the four bill drafts recommended for legislation by the Special Committee and answered questions from members.

After discussion, Co-Chair Ballweg asked for a motion for introduction on WLC: 0054/2, WLC: 0056/2, WLC: 0059/2, and WLC: 0060/2.

*Sen. Schultz moved, seconded by Rep. Mason, that **WLC: 0054/2, WLC: 0056/2, WLC: 0059/2, and WLC: 0060/2** be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 20 (Reps. Ballweg, Barca, Berceau, Loudenberg, Mason, Nygren, Stone, Suder, and Vos; and Sens. Olsen, Darling, Farrow, Fitzgerald,*

*Larson, Leibham, Miller, Petrowski, Risser, Shilling, and Schultz); Noes, 0; and Absent, 2 (Reps. Kramer and Pasch).*

### **Committee Report No. 4 of the Special Committee on Review of Emergency Detention and Admission of Minors Under Chapter 51**

Senator Lazich, Chair, Special Committee on Review of Emergency Detention and Admission of Minors Under Chapter 51, accompanied by Laura Rose and Brian Larson, Legislative Council staff, outlined the work of the Special Committee and described the committee's recommendations. She noted that the committee was created by the Joint Legislative Council in May of 2010 and that she chaired the committee from January 2011 until completion of its assignment in December 2012. The committee was charged with examining the emergency detention statutes to determine if they could be revised to lessen the utilization of emergency detention for mental health treatment, in favor of increased use of voluntary treatment. Also, the committee was responsible for reviewing Wisconsin's law on mental health treatment of minors to determine whether any technical changes were needed.

Co-Chair Ballweg asked for a motion for introduction on WLC: 0024/2, WLC: 0073/5, WLC: 0112/3, and WLC: 0114/1.

*Sen. Miller moved, seconded by Sen. Darling, that **WLC: 0024/2, WLC: 0073/5, WLC: 0112/3, and WLC: 0114/1**, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 19 (Reps. Ballweg, Barca, Berceau, Loudenbeck, Mason, Nygren, Stone, Suder, and Vos; and Sens. Olsen, Darling, Farrow, Fitzgerald, Leibham, Miller, Petrowski, Risser, Shilling, and Schultz); Noes, 0; and Absent, 3 (Reps. Kramer and Pasch; and Sen. Larson).*

*[Sen. Larson indicated that had he been present he would have voted "aye".]*

### **Committee Report No. 3 of the Special Committee on Supervised Release and Discharge of Sexually Violent Persons**

Representative Strachota, Chair, Special Committee on Supervised Release and Discharge of Sexually Violent Persons, accompanied by Katie Bender-Olson and Mike Queensland, Legislative Council staff, reported on the committee's activities. She stated the committee was charged with reviewing the current process for granting supervised release and discharging persons who have been committed as sexually violent persons under ch. 980, Stats. The committee's recommendation was described by Representative Strachota.

After a discussion by committee members:

*Sen. Farrow moved, seconded by Sen. Darling, that **WLC: 0051/1**, relating to criteria for supervised release from commitment as sexually violent persons under chapter 980, placement of females committed as*

*sexually violent persons, and permitted outings under direct supervision for individuals on supervised release from commitment; supervised release and discharge of individuals committed as sexually violent persons under chapter 980, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 19 (Reps. Ballweg, Barca, Berceau, Loudenbeck, Mason, Nygren, Stone, Suder, and Vos; and Sens. Olsen, Darling, Farrow, Fitzgerald, Leibham, Miller, Petrowski, Risser, Shilling, and Schultz); Noes, 0; and Absent, 3 (Reps. Kramer and Pasch; and Sen. Larson).*

*[Sen. Larson indicated that had he been present he would have voted "aye".]*

### **Committee Report No. 5 of the Special Committee on Reporting of Child Abuse and Child Neglect**

Senator Alberta Darling, Chair, Special Committee on Reporting of Child Abuse and Child Neglect, accompanied by Anna Henning and David Moore, Legislative Council staff, summarized the committee's activities and recommendations. She noted that the committee was to conduct a recodification of Wisconsin's child abuse reporting law; recommend changes to current law regarding who is required to report and the circumstances for reporting; and study the reporting of suspected child abuse and neglect at institutions of higher education.

Co-Chair Ballweg asked for a motion for introduction on WLC: 0057/1.

*Sen. Shilling moved, seconded by Rep. Berceau, that **WLC: 0057/1**, relating to recodification of child abuse and neglect reporting law; making probation agents, parole agents, and certain employees, contractors, and volunteers of schools and institutions of higher education mandated reporters of child abuse and neglect; requiring training for certain mandated reporters of child abuse and neglect; definitions of physical injury and neglect for purposes of mandated reporting of child abuse and neglect; requiring child protective service agencies to notify tribal agents of reports of suspected child abuse or child neglect; and granting rule-making authority, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 16 (Reps. Ballweg, Barca, Berceau, Loudenbeck, Mason, and Stone; and Sens. Olsen, Darling, Farrow, Fitzgerald, Leibham, Miller, Petrowski, Risser, Shilling, and Schultz); Noes, 0; and Absent, 6 (Reps. Kramer, Nygren, Pasch, Suder, and Vos; and Sen. Larson).*

*[Sen. Larson indicated that had he been present he would have voted "aye".]*

### **Other Business**

Co-Chair Ballweg noted that the next meeting of the Joint Legislative Council has been tentatively scheduled for Wednesday, February 13, 2013, at 8:30 a.m.

### **Adjournment**

The meeting was adjourned at 10:05 a.m.

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